

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

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FILE: B-213398**DATE:** October 27, 1983**MATTER OF:** Compressor Engineering Corp.**DIGEST:**

Protest filed almost 3 months after the protester received notice from the agency that its offer was rejected because the product it offered was technically unacceptable is untimely and will not be considered on the merits.

Compressor Engineering Corp. (CECO) protests the award of a contract to the Ingersoll-Rand Company under request for quotations (RFQ) No. DLA700-83-Q-G111. The RFQ was issued by the Defense Logistics Agency and called for quotations to supply 96 valve seats. CECO states that it was informed by the agency in a notice dated June 15, 1983, that its low bid was rejected because its product was found to be technically unacceptable. CECO's protest was filed (received) in our Office on October 13, 1983.

We dismiss the protest.

Our Bid Protest Procedures, 4 C.F.R. § 21.2(b)(2) (1983), require that a protest be filed in our Office within 10 working days after the basis for the protest is known or should have been known.

CECO does not deny that it received the June 15 notice of rejection in due course. Thus, its protest filed nearly 3 months after it received notice that its offer had been rejected because its product was technically unacceptable is untimely and will not be considered on its merits. G.B.J. Inc., B-211124, April 4, 1983, 83-1 CPD 353.

• The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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